

LEGISLATIVE BILL 487

Approved by the Governor May 3, 1973

Introduced by Banking, Commerce and Insurance Committee,
F. Carstens, 30, Chmn.; Snyder, 14; Wiltse,
1; Moylan, 6; Murphy, 17; Hasebroock, 18;
Stromer, 36; Duis, 39

AN ACT to amend section 28-844, Revised Statutes Supplement, 1972, relating to offenses against public peace; to extend provisions to any elected or appointed officials and include all political subdivisions; to provide a restriction; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 28-844, Revised Statutes Supplement, 1972, be amended to read as follows:

28-844. If any legal action shall be brought against any municipal police officer or constable, or county sheriff or deputy sheriff, or any other elected or appointed official of any political subdivision, based upon the negligent error or omission conduct of such official while in the performance of law-enforcement his lawful duties, the municipality or county which employs such official shall defend such official against such action and if final judgment is rendered against such official then such municipality or county shall pay such judgment in his behalf and shall have no right to restitution from such official. Any municipality, or county, or other political subdivision shall have the right to purchase insurance to indemnify itself in advance against the possibility of such loss under the provisions of this section, and the insurance company shall have no right of subrogation against the official. This section shall not be construed so as to permit a municipality or a county to pay for a judgment obtained against an individual as a result of illegal acts committed by such individual.

Sec. 2. That original section 28-844, Revised Statutes Supplement, 1972, is repealed.